

**From:** [Asher, Chance \(ECY\)](#)  
**To:** [Szelag.Matthew@epamail.epa.gov](mailto:Szelag.Matthew@epamail.epa.gov); [Niemi, Cheryl \(ECY\)](#); [Macchio.Lisa@epamail.epa.gov](mailto:Macchio.Lisa@epamail.epa.gov)  
**Subject:** 10:30 AM Meeting with Ecology  
**Date:** Wednesday, May 09, 2012 9:17:59 AM  
**Attachments:** [EPA SMS preliminary comments 2-10-12 Ecology Responses.docx](#)  
[Cleanup Standards.docx](#)  
[WAC 173-204 SMS Revisions Advisory Group Preliminary Draft Nov 2011.docx](#)

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Hello All,

For this morning's meeting at 10:30, I have formulated some thoughts to guide our discussion. I have also attached three documents 1) the draft SMS rule language 2) Matt's comments/questions and Ecology's initial responses 3) a figure that illustrates the SMS framework for establishing cleanup standards.

- 1) EPA questions: Discuss the questions Matt posed during his cursory review of the rule language – specifically what EPA considers a WQS. A few terms that may benefit by clarifying with EPA: CSL/MAL (implementation type tool); SQS/SCO (cleanup standard)
- 2) Scheduling a late May/early June meeting with EPA to further discuss these issues:
  - a. Is there an EPA attorney that has both cleanup and water quality experience that can attend with our AAGs?
  - b. Applicability as WQS vs MTCA cleanup standards:
    - i. Certain sections of Part V, such as -570, were previously approved as WQS. If we decided to promulgate only under MTCA, what does that mean for the WQP delegated authority?
    - ii. If we decided to add language to Part V that certain sections only apply under MTCA as cleanup standards, what type of rule language would EPA like to see regarding what is and isn't an approved WQS?
    - iii. Possibly adding a new language to section -500 "Applicability"?
- 3) A few more specifics:
  - a. The issue of "Natural Conditions" under the CWA vs. MTCA's "Natural Background" – are they compatible?
  - b. Option of approving risk based concentrations/risk assessment process (sections 571, 573, 574) vs. background or PQL.

**The call info is: (360) 407-3780 PIN Code: 741683 #**

***Chance Asher***

*WA Department of Ecology, Toxics Cleanup Program*

*PO BOX 47600*

*Lacey, WA 98504-7600*

*(360) 407-6914*